

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

JOHN DOE,

Plaintiff,

v.

**UNIVERSITY OF MASSACHUSETTS
AMHERST, LOUIS B. WARD, Assistant
Dean of Students, sued in his individual and
official capacities, PATRICIA CARDOSO-
ERASE, Associate Dean of Students, sued in
her individual and official capacities,
DEBORA D. FERREIRA, Title IX
Coordinator, sued in her individual and official
capacities,**

Defendants.

CIVIL ACTION NO. 3:17-cv-30145

**JOINT MOTION FOR ENTRY OF CONFIDENTIALITY STIPULATION
AND TO SEAL CERTAIN DOCUMENTS**

The parties have conferred regarding the confidentiality and sealing of student records and the potential applicability of the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R. Part 99 *et seq.*, to certain documents and information to be filed in this civil action. All parties consent to the filing of this Motion and join in respectfully requesting that the Court enter the Joint Stipulation and Proposed Order attached hereto as Exhibit A.

Respectfully Submitted,

/s/Patricia M. Hamill

Patricia M. Hamill

/s/Lorie K. Dakessian

Lorie K. Dakessian

CONRAD O'BRIEN P.C.

1500 Market Street,

Centre Square – West Tower, 39th Floor

Philadelphia, PA 19102

Attorneys for Plaintiff

/s/Jean Marie Kelley

Jean Marie Kelley

University of Massachusetts

Office of the General Counsel

333 South Street, 4th Floor

Shrewsbury, MA 01545

Attorneys for Defendants

/s/Michael R. Schneider
Michael R. Schneider, Esq.
(Mass. Bar No. 446475)
Good Schneider Cormier & Fried
83 Atlantic Avenue
Boston, MA 02110-3711
Attorney for Plaintiff

Dated: November 3, 2017

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served today
via the Court's ECF filing system upon:

Jean Marie Kelly
Office of General Counsel
University of Massachusetts
333 South Street, 4th Floor
Shrewsbury, MA 01545
Attorneys for Defendants

Respectfully submitted,

/s/ Michael R. Schneider
Michael R. Schneider, Esq.
(Mass. Bar No. 446475)
Good Schneider Cormier & Fried
83 Atlantic Avenue
Boston, MA 02110-3711
Tel: (617) 523-5933
Email: ms@gscfboston.com

/s/ Patricia M. Hamill
Patricia M. Hamill, Esq.
(Pa. I.D. No. 48416)
/s/ Lorie K. Dakessian
Lorie K. Dakessian, Esq.
(Pa. I.D. No. 86102)
Pro Hac Vice
Conrad O'Brien PC
1500 Market Street
Centre Square – West Tower, Suite 3900
Philadelphia, PA 19102-1921
Tel: (215) 864-9600
Email: phamill@conradobrien.com
ldakessian@conradobrien.com
Attorneys for Plaintiff John Doe

Dated: November 3, 2017

Exhibit A

to and/or referenced in future court filings, may reflect information that could lead to the discovery of the identities of John Doe, Jane Roe, and other students involved in this matter; and

7. John, Jane Roe, and all students involved in the underlying disciplinary investigation have a substantial privacy right which outweighs the public's interest in this litigation and the customary presumption of openness in judicial proceedings; and

8. Maintaining the confidentiality of all identities will protect the privacy and reputational interests of all individuals involved and protects information that falls under the Family Educational Rights and Privacy Act; and

9. All parties to this civil action having so stipulated;

It is **ORDERED** that:

1. Documents filed with the Court by any party to this action shall be **REDACTED** to remove all personally identifiable information pertaining to any student and information which could reasonably be used to identify any student, and shall be filed **UNDER SEAL**.

2. Any documents filed by the parties in this matter that include identifying information as described in Paragraph 1 of this Order shall be filed and kept **UNDER SEAL**, with a courtesy copy of the documents filed under seal provided to all other counsel and to the Court, with a clear header or footer on each page labeling the documents as **CONFIDENTIAL**.

3. Before the commencement of formal discovery in this matter, the parties shall meet and confer in good faith regarding further confidentiality terms governing information exchanged in this civil action, including confidential educational records that may implicate FERPA obligations and restrictions.

/s/Patricia M. Hamill

Patricia M. Hamill

/s/Lorie K. Dakessian

Lorie K. Dakessian

CONRAD O'BRIEN P.C.

1500 Market Street

Centre Square – West Tower, 39th Floor

Philadelphia, PA 19102

Attorneys for Plaintiff

/s/Jean Marie Kelley

Jean Marie Kelley

University of Massachusetts

Office of General Counsel

333 South Street, 4th Floor

Shrewsbury, MA 01545

Attorneys for Defendants

/s/Michael R. Schneider

Michael R. Schneider, Esq.

(Mass. Bar No. 446475)

Good Schneider Cormier & Fried

83 Atlantic Avenue

Boston, MA 02110-3711

BY THE COURT:

U.S.D.J. Mark G. Mastroianni